

APPROVED

**BOARD OF DENTISTRY
MINUTES OF REGULATORY-LEGISLATIVE COMMITTEE MEETING**

**Wednesday, July 9, 2003
Hilton Garden Inn Fairfax
3950 Fair Ridge Drive
Fairfax, Virginia 22033**

**Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230-1712**

CALL TO ORDER: A meeting of the Virginia Board of Dentistry's Regulatory -
Legislative Committee was called to order at 7:37 p.m.

PRESIDING: Michael Link, D.D.S., Chairperson

MEMBERS PRESENT: Nora French, D.M.D.
Deborah Southall, R.D.H.
Robert Winters, Esq.

**BOARD MEMBERS
PRESENT:** Trudy Levitin, R.D.H.
Gary Taylor, D.D.S.
James Watkins, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Howard Casway, Assistant Attorney General
Cheri Emma-Leigh, Operations Manager
Elaine Yeatts, Sr. Policy Analyst

QUORUM: With four members present, a quorum was established.

PUBLIC COMMENT **Dr. Klima**, president of the Virginia Dental Association, reported the VDA is studying the need for a limited license to practice dental specialties, believes the statute on trade names should be revised rather than repealed, and believes the number of hygienists a dentist may supervise should not be changed.

Dr. Gillespe asked the Board to consider a tier system for dental hygienists to support treatment under general supervision. She also encouraged the Board not to change the ratio of 2 hygienists to one dentist.

DISCUSSION: **Trade Names:** The Committee discussed and reviewed the Board's guidance document on practice names. On a properly seconded motion by Ms. Southall, the Committee unanimously agreed to propose changes to the guidance document on practice names.

On a properly seconded motion by Mr. Winters, the Committee unanimously voted to recommend to the Board that the provisions of the guidance document be promulgated as regulations.

Licensure for Specialists: The Committee reviewed draft legislation, which would allow the Board to grant a license as a dental specialist to dentists who meets certain criteria established by the Board. On a properly seconded motion by Dr. French, the Committee unanimously voted to make this part of a legislative proposal for the year 2005.

Dental Hygienists to Carry CE Forward: The Committee reviewed a letter from Walter E. Saxon, Jr., D.D.S., and requesting support of legislation that would allow dental hygienists to carry their continuing education credits over for a year. On a properly seconded motion by Dr. French, the Committee unanimously agreed to recommend to the Board to propose deletion of the phrase “fifteen hours annually in” from § 54.1-2729 of the *Code of Virginia*.

Allow Dental Hygienists to Supervise Dental Assistants: Ms. Southall made a motion, which was properly seconded, to change the regulations to allow dental hygienists to supervise dental assistants under general supervision. After discussion, the Committee decided to ask staff to check with other states to see how supervision of dental assistants is handled in their state.

Permissible Practices by Dental Students: The Committee reviewed and discussed the proposed changes to § 54.1-2712.3 and § 54.1-2712.6 of the *Code of Virginia* but deferred action on this item to the Board. Staff was asked to obtain the latest version of the proposal for the July 11th meeting of the Board.

Dental Workforce Taskforce Recommendations: Dr. Watkins reviewed the recommendations submitted by the Task Force. The recommendation to expand duty functions for certified dental assistants was deferred and the Committee instructed staff to check with other states to see what their requirements are as it relates to certified dental assistants (CDA).

On a properly seconded motion by Dr. French, the

Committee recommends to proceed with amending the *Code of Virginia* to require dental laboratories to register with the Board to enable regulation and inspection of the facilities.

VDHA Recommendation for Task Force on Ratio: The Committee reviewed and discussed the Virginia Dental Hygienists' Association's comments regarding general supervision and ratio. In addition, the Committee reviewed The Committee decided that a task force was not needed.

Dr. Jelinek's Petition for Rulemaking, The petition requests that the number of dental hygienists a dentist may direct or supervise be increased to three. Staff advised that action in regards to the petition would need to be taken at the Board's next meeting following the public comment period.

Information on Fast Track Regulations: Elaine Yeatts, Sr. Policy Analyst summarized the purpose and process for fast track regulations.

American Safety & Health Institute's Petition for Rulemaking: The Committee reviewed the Petition for Rulemaking, which requests the Board to amend the regulations to include American Safety & Health Institute as a provider of Cardiopulmonary Resuscitation (CPR). Since the comment period does not end until August 5, 2003, this issue will be addressed at the Board's next meeting.

ADJOURNMENT

With all business concluded, the Committee adjourned at 10:27 p.m.

Michael J. Link, Chairperson

Date

Sandra K. Reen, Executive Director

Date